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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FD SPECIAL OPPORTUNITIES V, LLC :
, et al., :

Plaintiffs, :

-against- :

SILVER ARCH CAPTIAL PARTNERS, :
LLC, et al., :

Defendant. :
-----X

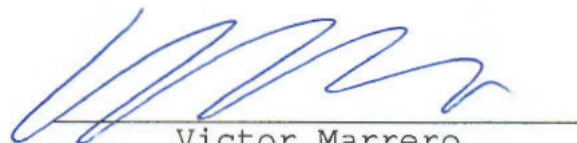
21 Civ. 797 (VM)
ORDER

VICTOR MARRERO, U.S.D.J.:

On April 5, 2021, Defendants filed a letter motion requesting a conference to obtain guidance or a ruling on whether an amendment or pre-answer motion to dismiss is warranted in this matter. (See Dkt. No. 6.) After reviewing the submission, including the parties' correspondence, the Court does not believe a conference is necessary at this time. Instead, the court is inclined to treat the parties' pre-motion letters as a motion to dismiss, see Kapitalforeningen Lægernes Invest. v. United Techs. Corp., 779 F. App'x 69, 70 (2d Cir. 2019) (affirming the district court ruling deeming an exchange of letters as a motion to dismiss), but if further briefing becomes necessary the Court will direct the parties to file additional material.

SO ORDERED:

Dated: New York, New York
15 April 2021


Victor Marrero
U.S.D.J.